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Attorneys for Defendant

OCWEN LOAN SERVICING, LLC

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

Richard Quinones,

Plaintiff,

v.

Ocwen Loan Servicing, LLC,

Defendant.

Case No. 2:17-CV-03526-DDP-FFM

**DEFENDANT'S MOTION IN
LIMINE TO PRECLUDE
REFERENCES TO OTHER OCWEN
PROCEEDINGS**

Pretrial Conf.: October 22, 2018

Hearing Date: October 22, 2018

Hearing Time: 11:00 a.m.

Judge: Dean D. Pregerson

Dept: 9C

Trial Date: October 31, 2018

1 Defendant Ocwen Loan Servicing, LLC (“Ocwen”), by counsel, respectfully
 2 moves the Court in limine for entry of an Order prohibiting any mention of or
 3 reference to, by any party herein, in opening statements, in the questioning of
 4 witnesses and expert witnesses, in documentary evidence and exhibits, in closing
 5 arguments or in any other manner before the jury, evidence regarding references to
 6 Other Ocwen Proceedings.

7 **I. ARGUMENT**

8 **A. Legal Authority**

9 This case relates solely to the telephone calls that Ocwen made to Plaintiff in
 10 connection with Ocwen’s servicing of her mortgage loan. It does not involve any
 11 other customer Ocwen, nor does it involve any allegations or claims asserted in any
 12 other proceeding involving Ocwen. Therefore, the Court should exclude from trial
 13 any reference to any dealings between Ocwen and any other customer, as well as
 14 any reference to any other cases or regulatory proceedings involving Ocwen,
 15 including the *Snyder* class action (*Snyder v. Ocwen Loan Servicing, LLC*, No. 1:14-
 16 cv-8461 (N.D. Ill. Oct. 27, 2014)), or any of the other individual lawsuits that
 17 Plaintiff’s counsel has filed on behalf of other Ocwen customers.

18 Allowing Plaintiff to offer evidence or references relating to other customers
 19 or proceedings would convert this trial from a proceeding to determine whether
 20 Plaintiff can prove her claims against Ocwen into an impermissible inquiry into
 21 whether Plaintiff can show that Ocwen is acted improperly in another, unrelated
 22 matter, or that Ocwen generally a bad actor, which would greatly prejudice Ocwen.
 23 Therefore, any mention of other customers or proceedings should be excluded
 24 under Fed. R. Evid. 401, 403, and 404.

25 **B. Terms of Order Sought**

26 Ocwen will move the Court to preclude any mention of or reference to, by any
 27 party herein, in opening statements, in the questioning of witnesses and expert
 28 witnesses, in documentary evidence and exhibits, in closing arguments or in any

1 other manner before the jury, any other customers of Ocwen, as well as cases,
 2 claims, actions, regulatory proceedings, or investigations involving Ocwen or any
 3 of its affiliates.

4 **II. CONCLUSION**

5 Given the foregoing, any mention of or reference to, by any party herein, in
 6 opening statements, in the questioning of witnesses and expert witnesses, in
 7 documentary evidence and exhibits, in closing arguments or in any other manner
 8 before the jury, any other customers of Ocwen, as well as cases, claims, actions,
 9 regulatory proceedings, or investigations involving Ocwen or any of its affiliates.

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 11 Dated: October 1, 2018

TROUTMAN SANDERS LLP

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 13 By: /s/ John C. Lynch

14 John C. Lynch

15 Jessica R. Lohr

16 Virginia B. Flynn

17 *Attorneys for Defendant*
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